

Since the Applicants are nonetheless required to elect a single species even though the requirement is traversed, Applicants provisionally elect the chemokine mMIP-1 γ . All of the claims in elected Group VII (i.e., claims 25 and 27 as pending following entry of this amendment) read upon the elected species. In the event that the Office does not withdraw the species election requirement, Applicants' understanding is that the Office will follow the procedure set forth in MPEP §809.02(c), which provides for a complete action on the merits of all claims readable on the elected species, and in MPEP §803.02, whereby upon the finding of allowable species, examination will continue with the non-elected species until all species have been examined or a non-allowable species is found.

REMARKS

Claim 25 has been amended to incorporate the elements of claim 26. Claim 32 has been amended to correct typographical errors; the claim now depends upon claim 29 rather than claim 25 as intended. Neither of these amendments add new matter. These amendments are made without prejudice or disclaimer to reinstatement in this or another application. These amendments are also not made for reasons of patentability, but rather to define more specifically the subject matter of the instant invention.

Please charge any required fees, and credit any overpayment, to the undersigned's Deposit Account No. 20-1430.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



Scott L. Ausenhus
Reg. No. 42,271

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
SLA
DE 7071844 v1

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Claim 25 has been amended as follows without prejudice or disclaimer:

25. (Once amended) A method for identifying a modulator of the binding of CCX CKR to a chemokine comprising

(a) contacting an isolated or recombinant CCX CKR polypeptide and the chemokine in the presence of a test compound, and

(b) comparing the level of binding of the chemokine and the polypeptide in (a) with the level of binding in the absence of the test compound, wherein

the chemokine is selected from the group consisting of ELC, SLC, TECK, BLC, CTACK, mMIP-1 γ and vMIPII, and

a decrease in binding indicates that the test compound is an inhibitor of binding and an increase in binding indicates that the test compound is an enhancer of binding.

Claim 32 has been amended as follows:

32. (Once amended) A process for providing a pharmaceutical ~~composition~~ composition, comprising effecting the steps of a method of claim ~~25~~ 29 and thereafter formulating a modulator of CCX CKR activity for pharmaceutical use.